

107TH CONGRESS  
1ST SESSION

# H. R. 3151

To prohibit United States nationals, permanent resident aliens, or United States Government agencies from entering into agreements with foreign persons who prevent or inhibit a United States business from undertaking a commercial activity, or otherwise discriminate against the business, on the basis of the religious beliefs, practices or associations, sexual orientation, race, or gender of an individual associated with the United States business, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 17, 2001

Mr. GILMAN introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committees on Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

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1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Freedom to Trade  
5       Act”.

6       **SEC. 2. PROHIBITION ON CERTAIN AGREEMENTS.**

7       Notwithstanding any other provision of law, a United  
8       States national, a permanent resident alien, or a United  
9       States Government agency may not enter into an agree-  
10      ment, including an agreement to provide a loan, guar-  
11      antee, credit, or other financing, with a foreign person who  
12      directly or indirectly prevents or inhibits a United States  
13      business from undertaking a commercial activity, or other-  
14      wise discriminates against the business, on the basis of  
15      the religious beliefs, practices or associations, sexual ori-  
16      entation, race, or gender of an individual with an owner-  
17      ship interest in the United States business, an employee  
18      of the business, or an agent of the business.

19      **SEC. 3. PROHIBITION ON MULTILATERAL ASSISTANCE.**

20      The Secretary of the Treasury shall instruct the  
21      United States executive director of each international fi-  
22      nancial institution to use the voice and vote of the United  
23      States to oppose any assistance from that financial insti-  
24      tution to any foreign person that engages in any of the  
25      conduct described in section 2.

1 **SEC. 4. EXCLUSION OF CERTAIN ALIENS.**

2 (a) EXCLUSION.—The Secretary of State shall deny  
3 a visa to, and the Attorney General shall exclude from the  
4 United States, any alien who the Secretary of State deter-  
5 mines is a person who, after the date of the enactment  
6 of this Act, engages in any of the conduct described in  
7 section 2.

8 (b) EFFECTIVE DATE.—Subsection (a) applies to an  
9 alien seeking to enter the United States on or after the  
10 date of the enactment of this Act.

11 **SEC. 5. DEFINITIONS.**

12 In this Act:

13 (1) COMMERCIAL ACTIVITY.—The term “com-  
14 mercial activity” has the meaning given that term in  
15 section 1603(d) of title 28, United States Code.

16 (2) FOREIGN PERSON.—The term “foreign per-  
17 son” means any foreign person or entity, including  
18 the government of a foreign country, a foreign busi-  
19 ness, or a foreign nongovernmental organization.

20 (3) GOVERNMENT OF A FOREIGN COUNTRY.—

21 (A) The term “government of a foreign country” in-  
22 cludes the government of any political subdivision of  
23 the country, and any agency or instrumentality of  
24 the government of the country.

25 (B) For purposes of subparagraph (A), the  
26 term “agency or instrumentality of the government

1 of the country” means an agency or instrumentality  
2 of a foreign state as defined in section 1603(b) of  
3 title 28, United States Code.

4 (4) PERMANENT RESIDENT ALIEN.—The term  
5 “permanent resident alien” means an alien lawfully  
6 admitted for permanent residence into the United  
7 States.

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